



IFW
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/660,155

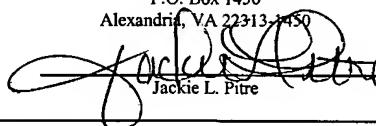
§ Examiner: Unknown
§ Art Unit: 3738
§ Atty. Dkt. No.: 5943-00200

Confirmation No.: 4955

Filing Date: September 11, 2003

Inventors: Gordon et al.

Title: ARTIFICIAL FUNCTIONAL
SPINAL UNIT ASSEMBLIES

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8	
DATE OF DEPOSIT: <u>4/15/05</u>	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450  Jackie L. Pitre	

INFORMATION DISCLOSURE STATEMENT

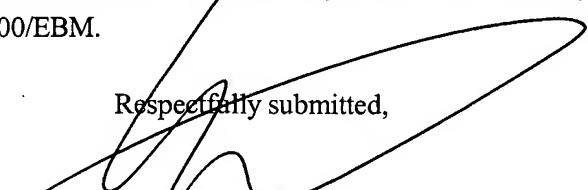
MS: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 (USP001-USP064, USRE001-USRE002, USPA001-USPA041, FP001-FP005, RA01, RA03-RA04, and OA01) be considered by the Examiner and made of record. Copies of the listed non-U.S. patent documents are enclosed for the convenience of the Examiner.

Should any fees be required, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 50-1505/5943-00200/EBM.

Respectfully submitted,


Eric B. Meyertons
Reg. No. 34,876
Attorney for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.

P.O. Box 398

Austin, Texas 78767-0398

Ph: (512) 853-8800 Fax: (512) 853-8801

Date: 4/15/05



Information Disclosure Statement--PTO 1449 (modified) List of Patents and Publications For Applicant's Information Disclosure Statement (Use several sheets if necessary)	ATTY. DKT. NO.: 5943-00200 APPLICANT: Gordon et al. FILING DATE: September 11, 2003	SERIAL NO.: 10/660,155 CONFIRM. NO.: 4955 ART UNIT: 3738
--	---	--

U.S. PATENT DOCUMENTS

EXAM. INIT.	REF. DES.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	USP001	4611581	09/16/1986	Steffee			
	USP002	4696290	09/29/1987	Steffee			
	USP003	4854311	08/08/1989	Steffee			
	USP004	4863477	09/05/1989	Monson			
	USP005	4946458	08/07/1990	Harms et al.			
	USP006	5042982	08/27/1991	Harms et al.			
	USP007	5092867	03/03/1992	Harms et al.			
	USP008	5192326	03/09/1993	Bao et al.			
	USP009	5196013	03/23/1993	Harms et al.			
	USP010	5207678	05/04/1993	Harms et al.			
	USP011	5261909	11/16/1993	Sutterlin et al.			
	USP012	5314477	05/24/1994	Marnay			
	USP013	5443467	08/22/1995	Biedermann et al.			
	USP014	5498263	03/12/1996	DiNello et al.			
	USP015	5545165	08/13/1996	Biedermann et al.			
	USP016	5672176	09/30/1997	Biedermann et al.			
	USP017	5725527	03/10/1998	Biedermann et al.			
	USP018	5782832	07/21/1998	Larsen et al.			
	USP019	5810819	09/22/1998	Errico et al.			
	USP020	5961518	10/05/1999	Errico et al.			
	USP021	5997539	12/07/1999	Errico et al.			
	USP022	6102950	08/15/2000	Vaccaro			
	USP023	6017344	01/25/2000	Errico et al.			

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the patent owner.

Form PTO-1449 (modified) List of Patents and Publications For Applicant's Information Disclosure Statement (Use several sheets if necessary)	ATTY. DKT. NO.: 5943-00200 APPLICANT: Gordon et al. FILING DATE: September 11, 2003	SERIAL NO.: 10/660,155 CONFIRM. NO.: 4955 ART UNIT: 3738
---	---	--

U.S. PATENT DOCUMENTS

EXAM. INIT.	REF. DES.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	USP024	6063089	05/16/2000	Errico et al.			
	USP025	6106526	08/22/2000	Harms et al.			
	USP026	6113637	09/05/2000	Gill et al.			
	USP027	6132464	10/17/2000	Martin			
	USP028	6217579	04/17/2001	Koros			
	USP029	6375682	04/23/2002	Fleischmann et al.			
	USP030	6413259	07/02/2002	Lyons et al.			
	USP031	6419704	07/16/2002	Ferree			
	USP032	6443990	09/03/2002	Aebi et al.			
	USP033	6447544	09/10/2002	Michelson			
	USP034	6451021	09/17/2002	Ralph et al.			
	USP035	6454806	09/24/2002	Cohen et al.			
	USP036	6478823	11/12/2002	Michelson			
	USP037	6482207	11/19/2002	Errico			
	USP038	6500205	12/31/2002	Michelson			
	USP039	6533818	03/18/2003	Weber et al.			
	USP040	6540748	04/01/2003	Lombardo			
	USP041	6558423	05/06/2003	Michelson			
	USP042	6562074	05/13/2003	Gerbek et al.			
	USP043	6565605	05/20/2003	Goble et al.			
	USP044	6569442	05/27/2003	Gan et al.			
	USP045	6579318	06/17/2003	Varga et al.			
	USP046	6579319	06/17/2003	Goble et al.			
	USP047	6582467	06/24/2003	Teitelbaum et al.			
	USP048	6610091	08/26/2003	Reiley			
	USP049	6648893	11/18/2003	Dudasik			

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the patent owner.

Form PTO-1449 (modified)
 List of Patents and Publications
 For Applicant's Information
 Disclosure Statement
 (Use several sheets if necessary)

ATTY. DKT. NO.: 5943-00200
 APPLICANT: Gordon et al.
 FILING DATE: September 11, 2003

SERIAL NO.: 10/660,155
 CONFIRM. NO.: 4955
 ART UNIT: 3738

U.S. PATENT DOCUMENTS

EXAM. INIT.	REF. DES.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	USP050	6679915	01/20/2004	Cauthen			
	USP051	6685742	02/03/2004	Jackson			
	USP052	6706070	03/16/2004	Wagner et al.			
	USP053	6811567	11/02/2004	Reiley			
	USP054	6648917	11/18/2003	Gerbec et al.			
	USP055	6852129	02/08/2005	Gerbec et al.			
	USP056	6863673	03/08/2005	Gerbec et al.			
	USP057	6562074	05/13/2003	Gerbec et al.			
	USP058	6045579	04/04/00	Hochschuler et al.			
	USP059	6616671	09/09/03	Landry et al.			
	USP060	6576016	06/10/03	Hochschuler et al.			
	USP061	6080193	06/27/00	Hochschuler et al.			
	USP062	6045579	04/04/00	Hochschuler et al.			
	USP063	6706070	03/16/04	Wagner et al.			
	USP064	6641614	11/04/03	Wagner et al.			
	USRE001	RE36758	06/27/2000	Fitz			
	USRE002	RE37665	04/16/2002	Ralph et al.			
	USPA001	20010020476	09/13/2001	Gan et al.			
	USPA002	20020065557	05/30/2002	Goble et al.			
	USPA003	20020123806	09/05/2002	Reiley			
	USPA004	20020128659	09/12/2002	Michelson			
	USPA005	20030028250	02/06/2003	Reiley et al.			
	USPA006	20030069643	04/10/2003	Ralph et al.			
	USPA007	20030074066	04/17/2003	Errico et al.			
	USPA008	20030074067	04/17/2003	Errico et al.			
	USPA009	20030074068	04/17/2003	Errico et al.			

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the patent owner.

Form PTO-1449 (modified) List of Patents and Publications For Applicant's Information Disclosure Statement (Use several sheets if necessary)	ATTY. DKT. NO.: 5943-00200 APPLICANT: Gordon et al. FILING DATE: September 11, 2003	SERIAL NO.: 10/660,155 CONFIRM. NO.: 4955 ART UNIT: 3738
---	---	--

U.S. PATENT DOCUMENTS

EXAM. INIT.	REF. DES.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	USPA010	20030074069	04/17/2003	Errico et al.			
	USPA011	20030074070	04/17/2003	Errico et al.			
	USPA012	20030074071	04/17/2003	Errico et al.			
	USPA013	20030074072	04/17/2003	Errico et al.			
	USPA014	20030074073	04/17/2003	Errico et al.			
	USPA015	20030074074	04/17/2003	Errico et al.			
	USPA016	20030135275	07/17/2003	Garcia et al.			
	USPA017	20030139812	07/24/2003	Garcia et al.			
	USPA018	20030204259	10/30/2003	Goble et al.			
	USPA019	20030233145	12/18/2003	Landry et al.			
	USPA020	20040006391	01/08/2004	Reiley			
	USPA021	20040044411	03/04/2004	Suddaby			
	USPA022	20040049190	03/11/2004	Biedermann et al.			
	USPA023	20040049272	03/11/2004	Reiley			
	USPA024	20040049273	03/11/2004	Reiley			
	USPA025	20040049274	03/11/2004	Reiley			
	USPA026	20040049275	03/11/2004	Reiley			
	USPA027	20040049276	03/11/2004	Reiley			
	USPA028	20040049277	03/11/2004	Reiley			
	USPA029	20040049278	03/11/2004	Reiley			
	USPA030	20040049280	03/11/2004	Cauthen			
	USPA031	20040049281	03/11/2004	Reiley			
	USPA032	20040127989	07/01/2004	Dooris et al.			
	USPA033	20040167626	08/26/2004	Geremakis et al.			
	USPA034	20040254643	12/16/2004	Jackson			
	USPA035	20040254644	12/16/2004	Taylor			

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the patent owner.

Form PTO-1449 (modified) List of Patents and Publications For Applicant's Information Disclosure Statement (Use several sheets if necessary)	ATTY. DKT. NO.: 5943-00200 APPLICANT: Gordon et al. FILING DATE: September 11, 2003	SERIAL NO.: 10/660,155 CONFIRM. NO.: 4955 ART UNIT: 3738
---	---	--

U.S. PATENT DOCUMENTS

EXAM. INIT.	REF. DES.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	USPA036	20040267364	12/30/2004	Carli et al.			
	USPA037	20040267369	12/30/2004	Lyons et al.			
	USPA038	20050010295	01/13/2005	Michelson			
	USPA039	20050015146	01/20/2005	Louis et al.			
	USPA040	20050015149	01/20/2005	Michelson			
	USPA041	20050021144	01/27/2005	Malberg et al.			
	RA01	20050033439	02/10/2005	Gordon et al.			
	RA03	20050033432	02/10/2005	Gordon et al.			

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the patent owner.

Form PTO-1449 (modified)
 List of Patents and Publications
 For Applicant's Information
 Disclosure Statement
 (Use several sheets if necessary)

ATTY. DOCKET NO.: 5943-00200

SERIAL NO.: 10/660,155

APPLICANT: Gordon et al.

CONFIRM. NO.: 4955

FILING DATE: September 11, 2003

ART UNIT: 3738

FOREIGN PATENT DOCUMENTS

EXAM. INIT.	REF. DES.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES/NO
	FP001	2004019762	03/11/2004	WO	O	P	E
	FP002	2004019828	03/11/2004	WO	APR 07 2005	SP	Abstract
	FP003	2004019829	03/11/2004	WO			
	FP004	2004019830	03/11/2004	WO			
	FP005	2004024011	03/25/2004	WO			Abstract

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

OA01	Invitation To Pay Additional Fees From the International Searching Authority for PCT/US2004/025090 mailed on December 7, 2004 (8 pages).
RA04	Claims from U.S. Patent Application No. 11/050,632 to Gordon et al. entitled "Functional Spinal Units" filed on February 3, 2005.

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the patent owner.